

EXHIBIT P

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

LEAGUE OF UNITED LATIN AMERICAN
CITIZENS, *et al.*,

Plaintiffs,

v.

GREG ABBOTT, *et al.*,

Defendants.

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Case No. 3:21-cv-00259
[Lead Case]

UNITED STATES OF AMERICA,

Plaintiff,

v.

STATE OF TEXAS, *et al.*,

Defendants.

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Case No. 3:21-cv-00299
[Consolidated Case]

**DECLARATION BY REPRESENTATIVE DADE PHELAN,
SPEAKER OF THE TEXAS HOUSE OF REPRESENTATIVES**

I, Matthew McDade (Dade) Phelan, hereby declare as follows:

1. I am over the age of eighteen and under no mental disability or impairment. I have personal knowledge of the following facts and, if called as a witness, would competently testify to them.

2. I currently serve as the Speaker of the Texas House of Representatives. I am currently serving my fourth term as a Texas House Member. I was elected as Speaker of the House in January 2021.

3. I make this declaration in support of the motion to quash or modify the subpoena for my deposition or, alternatively, for a protective order.

4. I am invoking legislative privilege and any other applicable privileges. In making this declaration, I do not intend to waive any such privileges.

5. As the Speaker of the House, I have significant constitutional and statutory duties in addition to my duties as a Texas Representative and member of the business community in my home district.

6. The Speaker of the House is an office created by the Texas Constitution. The Texas House of Representatives is required to elect the Speaker “when it first assembles.” Tex. Const. art. 3, §9(b). The Speaker serves as the presiding officer and highest-ranking member of the House. As Speaker, I also have responsibilities outside the House, including serving as the joint chair of the Legislative Budget Board and various appointments responsibilities.

7. In addition to my duties as the presiding officer of the House, as Speaker I am responsible under the House Rules of Procedure for numerous administrative duties that continue while the legislature is not in session. Within the Office of the Speaker alone, I lead a staff of more than 20 House employees. I am also responsible for the creation of select committees at any time and for directing committees to make interim studies.

8. I will have various obligations in connection with my official duties as the Speaker of the House throughout June and July. These include regular conversations with my staff, other members of the House, and third parties, and attending various meetings and events in my capacity as Speaker. Texas is currently at the center of policy discussions on major issues ranging from the border, to mass violence and school safety, to the reliability of the state’s electric power grid. I play a leading role in supporting my colleagues’ efforts to shape the House’s response to these societal problems and needs. House committees are meeting in June and July to consider the interim charges I have assigned to them, and it is important that I be available to monitor their progress and provide input and direction as needed. The same is true of ongoing discussions regarding the State’s budget and the Sunset

Advisory Commission's review of multiple state agencies. This is in addition to navigating an unceasing stream of calls and requests from members of the House and responding to invitations to meet with various constituent groups and local officials, which in a typical week number in the double digits.

9. I already balance these duties as Speaker with my responsibility to serve my constituents as their state representative, which rightly requires a significant portion of my time, focus, and effort, in addition to my responsibilities to my family and to my business.

10. Without waiving legislative privilege or any other applicable privilege, I was the Speaker when the House passed the redistricting legislation challenged in this litigation. Consistent with my responsibilities as Speaker, I appointed the chair, vice chair, and additional members to the House Redistricting Committee, which I entrusted to shepherd the redistricting bills through the legislative process. I did not myself serve on the House Redistricting Committee. As with other legislators, I cast my vote for the different redistricting bills. As the Speaker, I was responsible for signing the bills. And to my understanding, my district has not been challenged in the litigation.

11. Being deposed in this case, just as in other cases involving legislation passed by the Texas House, will significantly impair my abilities to discharge my constitutional and statutory duties.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 14, 2022

A handwritten signature in black ink, appearing to read "Matt Phelan", written over a horizontal line.

Matthew McDade Phelan
Speaker of the Texas House of Representatives